

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

Ground Five : Ineffective assistance of Counsel: Defense
attorney failed to prepare for trial

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Mr. Brady failed to investigate and prepare for trial. Mr. Brady
failed to file for discovery to obtain codefendant Wilson's statements
after being asked by defendant and the defense was unable to
prepare a defense for Wilson's damaging trial testimony

(b) If you did not exhaust your state remedies on Ground Five explain why: N/A

(c) Direct Appeal of Ground Five

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why: Ineffective assistance
of Counsel cannot be raised on direct appeal.

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? Yes ☒ No ☐

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: Post-Conviction motion

Name and location of the court where the motion or petition was filed: Superior Court of
the State of Delaware, Sussex County, Georgetown, DE. 19947

Attachment "B"